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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,495	12/21/2000	Johan Scott	915.383	8280

4955 7590 01/27/2005

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EXAMINER	
BASOM, BLAINE T	
ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicati n No.	Applicant(s)	
	09/747,495	SCOTT, JOHAN	
	Examiner	Art Unit	
	Blaine Basom	2173	

-- Th MAILING DATE of this communication appears on th cover she t with th correspond nc addr ss --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 October 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25,28-47 and 50-79* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *23 and 54-57* is/are allowed.

6)☒ Claim(s) *1-22,24,25,28-47,50-53,58-63 and 65-79* is/are rejected.

7)☒ Claim(s) *64* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

The Examiner acknowledges the Applicant's amendments to claims 1, 7, 8, 9, 10, 16, 23, 24, and 25, and the addition of new claims 57-79. Regarding the amended claims, the Applicant argues that Tobey et al. (U.S. Patent No. 5,510,811, hereafter referred to as "Tobey"), fails to teach spaced lines which are dependent on the positions of functional display regions, as has been added to the claims. The Examiner agrees, as is shown below in the allowance for claim 23, for example. However, the Examiner notes that various amended claims comprises U.S.C. 101 deficiencies, as is further shown below. Additionally, and with respect to claim 16, the Examiner notes that the newly added material is added to the preamble of the claim, and consequently does not breath meaning into the context of the claim. The Rejection of claim 16, as provided in the previous Office Action, is therefore maintained.

Further regarding the claimed invention, the Applicant argues that Tobey fails to teach nodes which are based on the locations of functional display regions. The Examiner respectfully disagrees. As the nodes of Tobey are implemented to move a cursor to the locations of display regions, the nodes are considered to be defined based on the locations of the display regions.

Lastly, the Examiner notes that the indicated allowability of claims 21 and 22 is withdrawn in view of the newly discovered reference to Arora et al. (U.S. Patent No. 5,845,299). Rejections based on the newly cited reference follow.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 7, 8, 9, 10, 36, 43, 44, 45, 46, 65, 72, 73, 77, 78, and 79 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In general, each of these claims is directed towards a device, network terminal, set top box, mobile telephone, personal computer, or user interface that is "configured" or "adapted" to implement a display in which a focus can be moved between various nodes. However, there is no explicit recitation or suggestion of anything tangible, nor is there any explicit recitation or suggestion of having the device, network terminal, set top box, mobile telephone, personal computer, or user interface cause anything to occur. Claims 2-6, 11-15, and 50-53 are similarly rejected under 35 U.S.C. 101, due to their dependence upon rejected claim 1, and claims 74-76 are rejected under 35 U.S.C. 101 due to their dependence on rejected claim 33.

Claims 24, 25, and 47 are also rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 24 recites a computer program product, and claims 25 and 47 recite a computer program, which are implement to generate a graphical display in which a focus can be moved between various nodes. However, there is no recitation or suggestion of a tangible embodiment; there is no recitation or suggestion that the computer program or program product is on something tangible, nor is there any explicit recitation or suggestion that the program product or program may be executed to cause something to occur.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 19-22, and 61-63, and 65-72 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,845,299, which is attributed to Arora et al. (and hereafter referred to as "Arora). In general, Arora describes a system and method for providing an editor to graphically create web pages (see, for example, column 2, lines 20-55).

Specifically regarding claims 19 and 61-63, Arora discloses that the web page created by the user is generated and displayed as an HTML table, with the various graphical elements of the web page occupying cells of the table (see column 2, lines 20-35; column 5, lines 37-48; and column 18, line 1 – column 19, line 36). Such a table is considered a "mesh," like recited in claim 19. Arora specifically teaches configuring this table by determining the minimum and maximum coordinate values along the horizontal and vertical directions for each graphical element of the web page (see column 18, lines 43-56, for instance). Furthermore, Arora teaches obtaining intermediate coordinate values, specifically unique coordinate values of the minimum and maximum coordinate values (for example, see steps 2304 and 2306 in figure 23). Lines, namely a column or row edges defined by the unique coordinate values, are subsequently provided to define an HTML table which accurately depicts the positions and sizes of each of the coordinate values (see column 18, line 43 – column 19, line 36). Arora consequently teaches a method of configuring a mesh, the method comprising; determining minimum and maximum

coordinate values along a predetermined direction for a first functional display region; determining minimum and maximum coordinate values along a predetermined direction for a second functional display region; obtaining an intermediate coordinate value in dependence on the values; and providing a mesh line defined by the intermediate coordinate value. The intersections of such mesh lines define nodes, by definition. By this reasoning, Arora is also considered to teach a method like recited in claims 61-63.

Concerning claims 20-22 and 58-59, Arora teaches a method of configuring a mesh, the method comprising; determining minimum and maximum coordinate values along both the horizontal and vertical directions for a plurality of display regions; obtaining intermediate coordinate values, particularly those defining unique row and column edges, which are in dependence on the values; and providing a row or column edge defined by each intermediate coordinate value, as is described above. In addition to comprising unique coordinate values, the intermediate coordinate values may alternatively be considered to comprise a mean of the minimum and maximum coordinate values for each display region. The above-described rows and columns of the table are defined by the unique coordinate values, as described above, but are also centered about the means of the minimum and maximum coordinate values of the various display regions, as is evidenced in figure 29, for example. Consequently, generating the various rows and columns of the HTML table is understood to be functionally equivalent to determining the means of the minimum and maximum coordinate values of the display regions, and providing lines, specifically rows and columns, which are defined by the mean values. Arora additionally demonstrates that rows in the HTML table may be defined according to the overlap of two or more functional regions, such that a row is generated to comprise only the overlapping portion

(for example, see figure 29). Therefore, Arora is considered to teach determining the overlapping portions of display elements, necessarily by testing whether the maximum coordinate value of a first display element is greater than the minimum coordinate value of a second display element, and testing whether the maximum coordinate value for the first display element is greater than the maximum coordinate value for the second display element. It is understood that if the maximum coordinate value of a first display element is greater than the minimum coordinate value of a second display element, a row or column centered on the mean value of the maximum coordinate value for the first display element and the minimum coordinate value of the second display element is provided, and that, as demonstrated in figure 29, if the maximum coordinate value of the first element is also greater than the maximum coordinate value for the second element, then a row or column is provided centered on the mean value of the maximum and minimum coordinate values of the second element.

Regarding claims 65-72, Arora discloses that the above-described method may be implemented on a computer (see column 4, line 65 – column 5, line 35). Such a computer implementing the above-described method of Arora is considered a "device," like that recited in claims 65-71. Additionally, such a computer is considered to generate a user interface, like that recited in claim 72.

Claims 16-18, 28-42, 45-47, and 50-53 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,510,811, which is attributed to Tobey et al. (and hereafter referred to as "Tobey"). In general, Tobey presents an apparatus and method whereby a hand-held controller, like that used for a television, is used to navigate a cursor about a computer

display (see column 2, line 42 – column 3, line 7). Tobey discloses that this cursor is thus used to select "hotspots," which are display regions representative of computer functions (see column 2, lines 47-56). Consequently, it is understood that Tobey teaches a generating device configured to generate signals for a graphical display in which a focus, specifically a cursor, can be navigated between spaced, functional display regions such that they are individually selected when the focus is moved thereto. Tobey particularly describes a "Random Roam mode," whereby a user uses the above-described hand-held controller to cause the cursor to move in one of four possible directions in a "uniform incremental manner" (see column 7, lines 3-25). The user may specifically move the cursor up, down, left, or right, as defined by a Cartesian coordinate system (see column 2, lines 59-65). Consequently, it is understood that from a given point on the display, and in response to the actuation of a direction on a "four direction control button" on the hand-held controller, the cursor moves a set distance up, down, left, or right to a new point on the screen. From this new point, the user may again move the cursor a set distance up, down, left, or right to another point on the screen by actuating the direction on the four direction control button. Such user input is repeated to position a cursor on a hot spot. Thus the user moves the cursor in incremental step movements about the screen in order to position the cursor on hotspots and consequently select computer functions. Specifically regarding the claimed invention, it is therefore understood that these incremental step movements are defined by a Cartesian coordinate system of intersecting vertical and horizontal lines, the distance between each of the horizontal and each of the vertical lines being the above-described set distance. Moreover, it is understood that the intersections of these vertical and horizontal lines define the possible screen positions of the cursor. These possible screen positions are

consequently considered "nodes," like those recited in the claimed invention. It is understood that the user may move the focus to any displayed hotspot, i.e. functional display region (for example, see column 7, lines 3-25). For the user to be able to move the focus to any hot spot, it is necessary that at least one node is located on each hot spot. It is therefore understood that the locations and spacing of the nodes is defined based on the locations of the hot spots. Tobey thus teaches a plurality of spaced nodes defined based on the locations of functional display regions, and configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction, the functional regions, i.e. hotspots, being irregularly disposed in the display and at least one of the nodes being disposed at each of the regions respectively.

In reference to claim 16, Tobey teaches a method of navigating a focus between spaced hotspots in a device, wherein as shown above, this device is of the type configured to generate signals for a graphical display in which a cursor can be navigated between hotspots such that they are individually selected when the cursor is moved thereto, with a plurality of spaced nodes defined based on the locations of the hotspots, and configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical directions, the hotspots being irregularly disposed in the display and at least one of the nodes being disposed at each of the hotspots respectively, the device including a user operable hand-held controller to provide the user actuation to move the cursor from one node to another in the mesh, and the hand-held

controller including a first control to move the focus in a horizontal direction and a second control to move the focus in a vertical direction. Moreover, Tobey teaches inputting into this hand-held controller a movement command corresponding to movement along the horizontal direction (see column 2, lines 57-65), whereby in response, it is interpreted that the cursor steps from a first node to a second node displaced from the first node along the horizontal line (see column 7, lines 3-15).

In reference to claim 17, Tobey teaches a method of navigating a cursor from one mesh to another in a device, wherein as shown above, this device is of the type configured to generate signals for a graphical display in which a cursor can be navigated between hotspots such that they are individually selected when the cursor is moved thereto, with a plurality of spaced nodes defined based on the locations of the hotspots, and configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction, the hotspots being irregularly disposed in the display and at least one of the nodes being disposed at each of the hotspots respectively, and also, the device having additional nodes arranged on another mesh at the intersections of a third set of spaced lines extending in a horizontal direction and a fourth set of spaced lines extending in a vertical direction, the cursor being navigable between the meshes. In particular, each of these meshes is associated with a window, as is described above. It is interpreted that a user may navigate the cursor from one window to another, and thus navigate the cursor from one mesh to the another, by navigating the focus to a node on one mesh adjacent

to another mesh and inputting into the hand-held controller a device movement command corresponding movement off of the mesh in the direction of the other mesh.

In reference to claim 18, Tobey teaches a method of navigating a focus between spaced hotspots in a device, wherein as shown above, this device is of the type configured to generate signals for a graphical display in which a cursor can be navigated between hotspots such that they are individually selected when the cursor is moved thereto, with a plurality of spaced nodes defined based on the locations of the hotspots, and configured so that the cursor makes a step movement from one node to another thereof in response to user actuation, the nodes being arranged in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical directions, the hotspots being irregularly disposed in the display and at least one of the nodes being disposed at each of the hotspots respectively, the device further having a node disposed on a handle of a scroll bar so as to allow scrolling of a page and permit selection of functional display regions not presently displayed. Since the cursor is positioned on this handle by moving the cursor in step-wise fashion from node to node towards the scroll bar, as is shown above, it is understood that Tobey teaches navigating the cursor to a node on the mesh adjacent to the node disposed on the handle of the scroll bar and inputting into the user operable navigation device a movement command corresponding to movement off of the mesh and onto the node disposed on the handle of the scroll bar.

Concerning claims 28 and 33, Tobey teaches a method, of navigating a cursor between irregularly spaced functional display regions, referred to as "hotspots." Similarly, Tobey also teaches a method of operating a display-generating device configured to provide a graphical

display in which a cursor can be navigated between hotspots. For example, Tobey discloses supplying an individual directional input via a four-direction control button on a hand-held controller (see column 2, lines 59-65). In response to this directional input, Tobey further discloses that a cursor is moved from a first node to a second node, which are defined based on the locations of the hotspots, in a predefined discrete step along a direction corresponding to the directional input, the second node being disposed between the irregularly spaced hotspots, as is shown above. It is understood such user input is repeated in order to move the cursor about the display and focus on a hotspot (see column 7, lines 3-25). Thus Tobey further teaches supplying another directional input and moving the focus to a third node disposed within one of the irregularly spaced hotspots so as to enable selection of the hotspot.

As per claims 29 and 34, Tobey teaches arranging the nodes in a mesh, or in other words, at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction, as is shown above.

Regarding claims 30 and 35, the above-described Random Roam mode disclosed by Tobey is used to move a cursor from hotspot to hotspot via incremental movements. As described above, the position of the cursor after each incremental movement is considered a node. For every directional input by the user, there is an inherent determination as to where to position the cursor, or in other words, as to which node to place the cursor. For example, for a user to move a cursor to a particular hotspot, the user intrinsically determines after each incremental movement whether the cursor is positioned on the particular hotspot, i.e. whether the node defining the location of the cursor is disposed within the particular hotspot. If not, the user continues input directional inputs in order to move the cursor to the hotspot. As shown above,

each such hotspot is associated with a segment of the graphical display. Therefore, Tobey teaches determining whether a node is disposed within an irregularly spaced functional display region, i.e. a hotspot, and equivalently, whether the node is located within a predefined segment of the display. It is understood that if the cursor were not in fact located in the hotspot, it would be positioned in one of the nodes outside of the hotspot, which as described above, define the discrete cursor steps. Thus Tobey further teaches that in the absence of a node disposed within a hotspot, a node is provided at a predefined discrete step along a direction corresponding to the user's directional input and the cursor is moved to that node.

With respect to claims 31 and 32, the above-described Random Roam mode disclosed by Tobey is used to move a cursor from hotspot to hotspot via incremental movements. As described above, the position of the cursor after each incremental movement is considered a node. Since the cursor may moved off of a hotspot, it is understood that in such a case, a user moves a cursor from a first node, wherein this first node is within an irregularly spaced hotspot, i.e. functional display region. Similarly, it is understood that the cursor may be moved onto a hotspot. In such a case, the cursor to makes a step movement from a node on one of the hotspots to a first node in response to an individual directional input from the user, wherein this first node is not within one of the hotspots.

In regard to claim 36, Tobey teaches a method comprising: a plurality of spaced nodes defined based on the locations of hotspots; an individual directional input; moving a cursor from a first node to a second node in a predefined discrete step along a direction corresponding to the directional input, the second node being disposed between the irregularly spaced hotspots; receiving another directional input; and moving the cursor to a third node disposed within one of

the irregularly space hotspots so as to enable selection of the hotspot, as is shown above in the rejection for claims 28 and 33. It is understood that this method is implemented with a computer coupled to a hand-held controller, which is used to receive directional inputs (see column 2, line 57 – column 3, line 7). Moreover, it is understood that the computer includes a CPU which is ultimately responsible to presenting the graphical display, and more specifically the movement of the cursor on the display (see column 3, lines 27-41). This computer implementing the above-described method of Tobey is thus considered a "display generating device" like that recited in claim 36, wherein the display generating device is configured to generate signals for a graphical display in which a cursor can be navigated between irregularly spaced hotspots on a display device, the device comprising: a first input device, namely the hand-held controller, which is for supplying an individual directional input; a first controller, namely the CPU, which is for moving the cursor from a first node to a second node in a predefined discrete step along a direction corresponding to the directional input, the second node being disposed between the irregularly spaced hotspots; a second input, namely the hand-held controller, which is for supplying another directional input; and another controller, namely the CPU, which is for moving the cursor to a third node disposed within one of said irregularly space hotspots so as to enable selection of the hotspot.

In regard to claims 46 and 47, Tobey presents a device configured to generate signals for a graphical display, wherein as described in the previous paragraph, a cursor can be navigated between irregularly spaced hotspots on a display device, the device comprising: a plurality of spaced nodes defined based on the locations of hotspots; a first input device for supplying an individual directional input; a first controller for moving the cursor from a first node to a second

node in a predefined discrete step along a direction corresponding to the directional input, the second node being disposed between the irregularly spaced hotspots; a second input for supplying another directional input; and another controller for moving the cursor to a third node disposed within one of said irregularly space hotspots so as to enable selection of the hotspot. More specifically, Tobey discloses that this device may be implemented as a computer (see column 3, lines 27-55). Such a computer is considered a computer program product like that recited in claim 46. In addition, Tobey discloses that such means for moving a cursor about the display may be employed using an application program (see column 3, lines 56-64). Consequently, and specifically regarding claim 47, such an application program itself is considered a computer program like that expressed in the claim. As this application program is executed on a computer, it is understood that is must be embodied on some sort of computer-readable medium.

Concerning claim 37, the above-described first and second controllers are implemented via a single CPU, as is shown above. Consequently, the first and second controllers are considered unitary.

As per claim 38, the above-described first and second inputs for supplying the individual directional inputs are realized by Tobey via a hand-held controller. Specifically, this hand-held controller includes a four-direction control button for receiving the directional inputs (see column 2, lines 57-65). Thus the first input for supplying the individual directional input comprises a user operable navigation control, specifically, this four direction control button.

In regard to claim 39, the above-described first and second inputs for supplying directional inputs are both realized by Tobey via a single hand-held controller comprising a user

operable navigation control, specifically a four direction control button, as is described above in the previous paragraph. Thus, the first and second inputs are considered unitary.

Regarding claim 40, the functional display regions, i.e. hotspots, disclosed by Tobey are associated with a region displayed on the display. For example in figure 3A, reference numbers 40, 42, 44, 46, and 48 each designate a hotspot. As shown in figure 3A, each of these hotspots is associated with a rectangular-shaped region displayed on the display.

In regard to claim 41, the above-described computer disclosed by Tobey is used to move a cursor from hotspot to hotspot via incremental movements. As described above, the position of the cursor after each incremental movement is considered a node. Since the cursor may moved off of a hotspot, it is understood that in such a case, a user moves a cursor from a first node, wherein this first node is within an irregularly spaced hotspot, i.e. functional display region.

With respect to claim 42, Tobey discloses that the "computer-controlled display" is used to display the above-described hotspots and cursor (see column 3, lines 27-59). Consequently, it is understood that the device disclosed by Tobey has a display device coupled thereto so as to provide a graphical display.

Regarding claim 45, the above-described Random Roam mode of Tobey is implemented with a computer (see column 3, lines 27-55). It is interpreted that this computer may be a personal computer (see column 1, lines 13-45). Consequently, such a personal computer implementing the above-described Random Roam mode of Tobey is considered a personal computer like that recited in claim 45.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobey, which is described above, and also over U.S. Patent No. 6,034,689, which is attributed to White et al. (and hereafter referred to as "White"). As described above, Tobey presents a device configured to generate signals like those recited in claims 43-44. More specifically, it is interpreted that this device is associated with a personal computer (for example, see column 1, lines 13-44). Consequently, Tobey does not explicitly disclose that the device is included in a multimedia network terminal or a mobile station, as is expressed in claims 43 and 44.

Like Tobey, White discloses a method and system whereby a user users a hand-held controller to move a focus about a display. More specifically, White presents a system by which a television is used to display web pages to a user, wherein the user uses a remote control to select hyperlinks in the web pages (see column 2, lines 52-64). Regarding the claimed invention, White discloses that this television comprises a "WebTV box" to generate and display the web pages to the user (see column 4, lines 45-54). This WebTV box is considered a set top box like that recited in claim 8. Because it is understood that the web pages provided by the television comprise multimedia network information, as is known in the art, the system disclosed by White is also considered a multimedia network terminal, like that recited in claim 43. Lastly, because it

is understood that this television is moveable, the system of White is also considered a mobile station like that expressed in claim 44.

It would have been obvious to one of ordinary skill in the art, having the teachings of Tobey and White before him at the time the invention was made, to modify the method taught by Tobey such that it may also be implemented with a television to move a cursor about a web page displayed by the television, as is done by White. It would have been advantageous to one of ordinary skill to utilize such a combination because, as is demonstrated by White, a television is a device which may require input to move a focus about the display, similarly to that done on a computer. Tobey provides an effective method for moving such a focus. Lastly, it is interpreted that with such a combination, the computer program responsible for positioning the cursor on the web page is associated with the web page. In other words, it is interpreted that along with the web page, this computer program is downloaded from a server and stored in a store associated with a computer coupled to the television.

Allowable Subject Matter

Claim 64 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter:

The prior art teaches a method of configuring a mesh, as recited in claims 61-63, upon which claim 64 depends. The prior art, however, does not explicitly teach implementing such a

mesh to define nodes which allow a focus to be navigated between selectable display elements, as is recited in claim 64.

Claims 23 and 54-57 are allowed. The following is an examiner's statement of reasons for allowance:

Claims 54-56 are considered allowable for the reasons presented in a previous Office Action. As claim 57 depends on claim 54, and includes all of the limitations recited in claim 54, claim 57 is considered allowable for the reasons in which claim 54 is considered allowable.

Regarding claim 23, the prior art teaches a method for moving a cursor incrementally about a display screen, the method comprising configuring a plurality of nodes defined based on selectable, irregularly-disposed display elements, whereby a focus moves from node to node in response to user actuation of an input device. Additionally, the prior art teaches arranging such nodes in a mesh at the intersections of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction. The prior art, however, does not explicitly teach that these lines are defined according to the positions of the selectable display elements, as is expressed in claim 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571) 272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

btb

JOHN CABECA
SUPERVISORY PATENT EXAMIN
TECHNOLOGY CENTER